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(TUE) 7. 9' 02 15:52 NO. 4260454662  
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Date: July 9, 2002

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To: Examiner Gail Gabel  
United States Patent & Trademark  
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Fax Number: 703-308-4242  
Contact Number: or 703-305-3014

703-305-0807

From: Frances B. Cutajar, Sr. Legal Assistant

Reference No.: 1103326-0571

Re: USSN 09/341,196, filed July 6, 1999; Inventors: Desousa, et al.

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Examiner Gabel:

Further to your telephone request this afternoon, attached are copies of the following papers filed via facsimile in response to the Final Office Action mailed November 7, 2001:

- The Amendment and Response filed via facsimile on May 2, 2002 and the USPTO auto-reply facsimile transmission confirming receipt on May 2, 2002. We also attach a copy of our facsimile log confirming successful transmission;

- The Notice of Appeal filed via facsimile on May 7, 2002 and the USPTO auto-reply facsimile transmission confirming receipt on May 7, 2002. We also attach a copy of our facsimile log confirming successful transmission.

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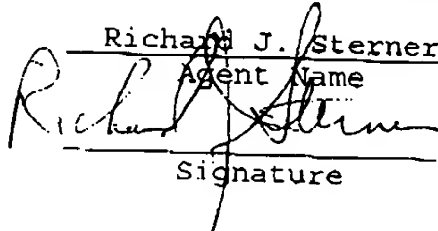
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#1251 703-872-9307	#1517038729307

1103326-0571

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Desousa, et al.  
 Serial No. : 09/341,196 Examiner: G. Gabel  
 Filed : July 6, 1999 Group Art Unit: 1641  
 For : SCINTILLATION PROXIMITY ASSAY FOR THE  
 DETECTION OF PEPTIDOGLYCAN SYNTHESIS

I hereby certify that this paper is being  
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35,372  
 PTO Reg. No.  
 May 2, 2002  
 Date of Signature

ATTENTION: Examiner G. Gabel  
 ART UNIT: 1641  
 NUMBER OF PAGES: 16  
 FACSIMILE NUMBER: 703-872-9307

AFTER FINAL  
 The Assistant Commissioner for Patents  
 Washington, D.C. 20231

AMENDMENT AND RESPONSE

Sir:

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1103326-0571

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Desouza, et al.  
Serial No. : 09/341,196 EXAMINER: G. Cabot  
Filed : July 6, 1999 GROUP ART UNIT: 1641  
For : SCINTILLATION PROXIMITY ASSAY FOR THE  
DETECTION OF PEPTIDOGLYCAN SYNTHESIS

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ATTENTION: Examiner G. Cabot

ART UNIT: 1641

NUMBER OF PAGES: 2

FACSIMILE NUMBER: 703-672-8267

AFTER FINAL

The Assistant Commissioner for Patents  
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NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF  
PATENT APPEALS AND INTERFERENCES

Sir:

Applicants hereby appeal to the Board of Patent Appeals and  
Interferences from the Decision dated November 7, 2001 of the  
Primary Examiner finally rejecting claims 3-9. The Assistant

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